



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

"Parks Make Life Better!"

Russ Guiney, Director

John Wicker, Chief Deputy Director

Executive Offices • 433 South Vermont Avenue • Los Angeles, CA 90020-1975 • (213) 738-2961

April 15, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPT RESOLUTION INITIATING PROCEEDINGS FOR THE ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR ZONES WITHIN LOS ANGELES COUNTY LANDSCAPING AND LIGHTING ACT DISTRICT NUMBERS 1, 2, AND 4, FOR FISCAL YEAR 2014-15; INCREASE EXISTING RATE IN LANDSCAPING AND LIGHTING ACT DISTRICT NUMBER 2, ZONE 37 (CASTAIC HILLCREST) AND ZONE 43 (ROWLAND HEIGHTS); AND ORDER THE FILING OF ENGINEER'S REPORTS IN CONNECTION THEREWITH (SUPERVISORIAL DISTRICTS 1, 3, 4, AND 5) (3 VOTES)

SUBJECT

Adopt the Resolution Initiating Proceedings for the levy of annual assessments for Landscaping and Lighting Act District Numbers 1, 2, and 4, and Zones therein; increase the existing assessment rate for Landscaping and Lighting Act District Number 2, Zone 37 (Castaic Hillcrest) and Zone 43 (Rowland Heights); and order the filing of the Engineer's Reports in regard to assessments and increases of the existing rate in connection with the proposed proceedings.

IT IS RECOMMENDED THAT THE BOARD:

1. Find the proposed actions categorically exempt from the California Environmental Quality Act because the actions involve information collection to the Landscaping and Lighting Act Districts for the reasons stated herein and the reasons reflected in the record of the project.
2. Adopt the Resolution Initiating Proceedings to levy annual assessments for landscape and park maintenance purposes for Landscaping and Lighting Act District Numbers 1, 2, and 4, and Zones therein, pursuant to provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, Section 22500 et. Seq., and as provided by Article XIID of the California Constitution, and to increase the existing rate for Landscaping and Lighting Act District Number 2, Zone 37 (Castaic Hillcrest) and Zone 43 (Rowland Heights).

3. Designate the Director of the Department of Parks and Recreation, or his designee, as the "Engineer" for purposes of implementing this procedure.

4. Instruct the Director of the Department of Parks and Recreation, or his designee, to file the Engineer's Reports in accordance with Chapter 1 Article 4 of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California (commencing with Section 22565), for the annual levy of assessments for Fiscal Year 2014-15 within Landscaping and Lighting Act District Numbers 1, 2, and 4, and Zones therein, and to increase the existing rate for Landscaping and Lighting Act District Number 2, Zone 37 (Castaic Hillcrest) and Zone 43 (Rowland Heights).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is for the Board to initiate proceedings for the levying of annual assessments for landscape and park maintenance purposes by directing the Department of Parks and Recreation (Department) to file the required Engineer's Reports. The Engineer's Reports will include a recommendation for an increase to the existing rate for the Landscaping and Lighting Act (LLA) District Number 2, Zone 37 (Castaic Hillcrest) and Zone 43 (Rowland Heights).

The Board action only initiates the assessment process and does not establish any assessment rates. In accordance with Proposition 13, assessments cannot be based on property values. Each District and Zone therein is obligated to establish a benefit formula by which assessments are set according to the benefit received from the service or improvement. Under Proposition 218, which added Articles XIIC and XIID to the California Constitution, the local government (Board) is required to give the affected property owners mailed notice and ballots regarding the proposed new or increased assessment, hold a public hearing (protest hearing), and receive the ballots in support of or opposition to the proposed new assessment for tabulation.

On July 12, 1979, August 10, 1995, and July 22, 1997, the Board approved the formation of the LLA Districts Numbers 1, 2, and 4, and Zones therein, respectively, for the purpose of providing landscaping in County-administered LLA Districts and Zones therein, pursuant to provisions of LLA of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, Section 22500 et. Seq. (Act). As the governing body, the Board of Supervisors (Board) is responsible for approving the levying of annual assessments for landscape and park maintenance purposes. Board adoption of the Resolution Initiating Proceedings institutes the annual assessment process for the renewal or increase of existing annual assessments and the establishment of new assessments for Fiscal Year (FY) 2014-15.

Proceedings regarding the proposed increase to the existing rate in LLA District 2, Zone 37 (Castaic Hillcrest) and Zone 43 (Rowland Heights) will be considered, pursuant to a Resolution of Intention, as required in accordance with the Act.

Implementation of Strategic Plan Goals

These actions will further the County's Strategic Plan Goal of Operational Effectiveness (Goal 1) by ensuring the continuation of services to maintain the landscaped areas and appurtenant improvements by the LLA Districts or individual homeowners who live within these Zones. These actions also maintain Fiscal Sustainability (Goal 2) of landscape maintenance services by establishing assessments to provide the funding necessary for the operation and maintenance of the landscaping and appurtenant facilities that benefit the properties within these Districts and Zones.

Futhermore, these actions are consistent with the Strategic Plan Goal of Integrated Services Delivery (Goal 3) since landscaping services maximize the opportunity to improve community outcomes by the leveraging of resources through a continuous integration of community services to improve the quality of life in those areas.

FISCAL IMPACT/FINANCING

All services administered by the Department's Special Districts Section, and provided for in the Districts and Zones therein, are funded by the assessments established by the Board. The proposed assessments will generate approximately \$21 million in total revenue in LLA District Numbers 1, 2, and 4 and Zones therein for FY 2014-15. There may be an increase and/or a decrease in the total revenues collected in FY 2013-14 based on community votes to increase the assessment affecting Zone 37 (Castaic Hillcrest) and Zone 43 (Rowland Heights). There is no fiscal impact to the General Fund other than a possible change in assessments for parcels owned by the County of Los Angeles.

OPERATING BUDGET IMPACT

The recommended actions will have no impact on the Department's Operating Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The LLA sets forth procedures that must be followed for any fiscal year during which assessments levied in a prior fiscal year are to be continued. The LLA, Government Code Section 53753, and the California Constitution establish procedures that must be followed for the levy of any new or increased assessments. The Act requires that the Board adopt a Resolution Initiating Proceedings, and generally describe any proposed improvements or substantial changes in existing improvements. The Board must also order the Engineer to prepare and file reports in accordance with Section 22565 of the Streets and Highways Code.

An increase to the existing rate is being proposed for Zone 37 (Castaic Hillcrest) and Zone 43 (Rowland Heights) to ensure the future financial viability of these Zones.

The Department will submit, for your Board's approval, the required Engineer's Reports and Resolutions of Intention setting the public hearing date to establish the benefit assessments for FY 2014-15 and to hear testimony regarding the increase in assessment for LLA District Number 2, Zone 37 (Castaic Hillcrest) and Zone 43 (Rowland Heights) pursuant to the Act and as provided by the California Constitution.

County Counsel has reviewed and approved this letter and the attached Resolution as to form.

ENVIRONMENTAL DOCUMENTATION

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA). The proposed project, which consists of initiating proceedings for the levying of annual assessments for landscape and park maintenance purposes and increasing the assessment of certain Zones, is within certain classes of projects that have been determined not to have a significant effect on the environment in that it meets the criteria set forth in Sections 15301(c) and 15306 of the State CEQA Guidelines, and Classes 1(x)(27) and 6 of the Environmental Document Reporting Procedures and Guidelines, Appendix G, because the project involves information collection and an increase in the

assessment of certain Zones.

The proposed project includes no expansion of an existing use, and will not involve the removal of healthy, mature trees. Additionally, the proposed project will not cause a substantial adverse change in the significance of a historic resource and is not in a sensitive environment, and there are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemption inapplicable based on the proposed project records.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the action will cause no impact on current services or programs.

CONCLUSION

Please instruct the Executive Officer-Clerk of the Board to forward two adopted copies of this action to the Department of Parks and Recreation. Should you have any questions, please contact Michael Kriste at (661) 294-3524 or mkriste@parks.lacounty.gov, Kandy Hays at (626) 821-4600 or khays@parks.lacounty.gov, Kasey Dizon at (213) 738-2986 or kdizon@parks.lacounty.gov, or Kaye Michelson at (213) 738-2955 or kmichelson@parks.lacounty.gov.

Respectfully submitted,



RUSS GUINEY

Director

RG:JW:RM:
KEH:MK:SS:rc

Enclosures

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller

**COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS**

**RESOLUTION INITIATING PROCEEDINGS FOR THE ANNUAL LEVY AND
COLLECTION OF ASSESSMENTS FOR LOS ANGELES COUNTY
LANDSCAPING AND LIGHTING ACT DISTRICT NOS. 1, 2, AND 4 AND
ZONES THEREIN FOR THE 2014-2015 FISCAL YEAR; INITIATING
PROCEEDING FOR THE INCREASE IN ASSESSMENT FOR LLA
DISTRICT NUMBER 2, ZONE 37 (CASTAIC HILLCREST) AND ZONE 43
(ROWLAND HEIGHTS) AND ORDERING THE FILING OF THE
ENGINEER'S REPORTS IN CONNECTION THEREWITH**

WHEREAS, on July 12, 1979, August 10, 1995, and July 22, 1997, the Board of Supervisors of the County of Los Angeles approved the formation of Landscape and Lighting Act (LLA) District Nos. 1, 2, and 4, respectively, for the purpose of providing funds for the operation of the LLA Districts and zones therein within the County of Los Angeles pursuant to provisions of the Landscaping and Lighting Act of 1972 Section 22500 et. seq. of the California Streets and Highways Code (the "Act"); and

WHEREAS, within the LLA District No. 1 there are three (3) established, separate zones, within the LLA District No. 2 there are seventeen (17) established, separate zones, and within the LLA District No. 4 there are fourteen (14) established, separate zones; and each zone consists of territory that receives substantially similar and proportional special benefits from the improvements provided in the zone; and

WHEREAS, each of the three (3), seventeen (17), and thirteen (13) zones within LLA District Nos. 1, 2, and 4, respectively, retain separate budgets, trust accounts, and unit numbers established by the Los Angeles County Auditor-Controller; and

WHEREAS, the Board of Supervisors previously approved the formation of LLA Districts and Zones therein for the purpose of providing funds for landscape maintenance services located therein pursuant to the Act; and

WHEREAS, the Board of Supervisors hereby proposes to levy annual assessments for existing LLA District Nos. 1, 2, and 4 and zones therein, and to levy and collect assessments against the lots and parcels of land within such LLA Districts and zones therein to pay the costs and expenses of the landscape improvements for the fiscal year commencing July 1, 2014, and ending June 30, 2015, pursuant to the Act; and

WHEREAS, the Board of Supervisors hereby proposes to increase the existing rates to the annual assessment for LLA District Number 2, Zone 37 (Castaic Hillcrest) and Zone 43 (Rowland Heights); and

WHEREAS, the general location and boundaries of the LLA District Numbers 1, 2, and 4 and zones therein are shown on maps on file in the office of the Los Angeles County Department of Parks and Recreation and are incorporated herein by reference and open to public inspection; and

WHEREAS, provisions of the Act require the Board of Supervisors to adopt a Resolution Initiating Proceedings, to generally describe any proposed improvements or substantial changes in existing improvements, and to order the Engineer to prepare and file reports in accordance with Sections 22565 and 22605, of the Act and Article XIID of the California Constitution.

NOW, THEREFORE, BE IT RESOLVED,

Section 1. That the Board of Supervisors of the County of Los Angeles proposes to establish assessments for park and landscape maintenance purposes for the 2014-2015 Fiscal Year to be levied against property in LLA District Nos. 1, 2, and 4 and zones therein pursuant to provisions of the Act.

Section 2. That the Board of Supervisors of the County of Los Angeles proposes to establish assessments for park and landscape maintenance purposes for the 2014-2015 Fiscal Year pursuant to provisions of the Act, to be used for the maintenance, repair, replacement, and upgrades to planted and irrigated slopes, turf areas, parkway panels, medians, automated irrigation system components, and park improvements within LLA District Nos. 1, 2, and 4 and zones therein, in compliance with procedures set forth in the Act.

Section 3. That the Board of Supervisors of the County of Los Angeles, proposes to increase the existing rate for LLA District Number 2, Zone 37 (Castaic Hillcrest) and Zone 43 (Rowland Heights).

Section 4. That the Director of the Los Angeles County Department of Parks and Recreation is hereby ordered to file the Engineer's Reports in accordance with Sections 22565 and 22605 of the Act.

The foregoing Resolution was on the _____ day of _____, 2014, adopted by the Board of Supervisors and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

SACHI A. HAMAI, Executive Officer-
Clerk of the Board of Supervisors of
the County of Los Angeles

By: _____
Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL

JOHN KRATTLI

By: Chit A. Salasida
Principal Deputy County Counsel